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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/682,547	10/10/2003	Minoru Sato	117153	9736

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P.O. BOX 320850  
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EXAMINER
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NGUYEN, KEVIN M

ART UNIT	PAPER NUMBER
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2629

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10/29/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	Application No. 10/682,547	Applicant(s) SATO ET AL.	
	Examiner Kevin M. Nguyen	Art Unit 2629	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 10 August 2007.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

***Response to Argument***

1. In view of applicant's amendment to the abstract, the objection of the abstract stand withdrawn.
2. Applicant's arguments, see pages 3-4, filed on 8/10/2007, with respect to the rejection(s) of claim(s) 1-10 under the statutory basis for the previous rejection and objection have been fully considered and are not persuasive. Therefore, the rejection and objection have been maintained.

With respect to claim 1 applicant's argument concerning the Salesky reference found on pages 3 and 4, these are not found to be persuasive. Salesky teaches two-way communications ( $\Leftarrow == \Rightarrow$ ), which implies two-way communications as claimed, see figure 1, and "data connection" and "telephone connection", which imply the network connection to connect their terminals (18a, 18b, and 18c), see figure 1. Salesky further teaches an image data output controlling unit (a computer 18a includes a CPU which implies a controlling unit) that controls said communication unit at the terminal side (18a, 18b, and 18c) in such a way that the terminal suspends output of image data when it is instructed to suspend transmission by said image data acquisition controlling unit and the terminal outputs image data when it is not instructed to suspend transmission, as discussed in col. 22, lines 24-66, which implies terminals (18a, 18b, and 18c) request "the client maintain a time-consistent display, the server sends blocks 1B-4B...the consistency flag is turned off," see col. 22, lines 45-55; and Salesky further discloses "minimal server platform needs for this example would be a network

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connection and an operating system providing an interrupt service and multitasking, with or without hardware support" col. 34, lines 8-12, which implies the suspension of transmission data.

With respect to claim 10 applicant's argument concerning the Salesky reference found on page 3. The applicant's argument of claim 10 are the same features as those of claim 1, and therefore the response of claim 10 will be addressed using the same rebuttal, except for a projector. Since Salesky discloses a whiteboard system among conference participants with one or more individual located at each remote site connected to the conference (col. 1, lines 19-20). Therefore, Salesky discloses a whiteboard display system which implies a projector as claimed, and Salesky further discloses col. 9, lines 36-43, and col. 10, line 28 to col. 11, line 18, which read on claim 10.

The applicant's argument of claims 2 and 6-9 are the same features as those of claim 1 found on page 3, and therefore the response of claims 2 and 6-9 will be addressed using the same rebuttal.

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. **Claims 1-10** are rejected under 35 U.S.C. 102(e) as being anticipated by Salesky et al (US 6,343,313, hereinafter **Salesky**).

5. As to **claim 1**, **figures 1-3** of **Salesky** teaches an image displaying system (10) which has an image displaying device to display an image (12) and a plurality of terminals (18a,b,c) to store image data for said image, said image displaying device (12) and said terminals (18a,b,c) being connected with each other through a network (16) that permits their two-way communications ( $\longleftrightarrow$ ), and said image displaying device displaying an image in response to said image data transmitted thereto from each of said terminals, wherein said image displaying device comprises:

a communication unit (a presenter telephone 20(0)) at the displaying device side that performs two-way communications with said terminals,

an image data (data connection  $\leftrightarrow$ ) acquisition controlling unit (a computer of presenter 12) that acquires image data from a relevant terminal in such a way that when it acquires image data from a relevant terminal by controlling said communication unit at the displaying device side (68, fig. 3), it instructs other terminals to suspend transmission, thereby suspending transmission of image data (*handles other streams and utility service traffic, fig.2, as summarized in col. 35, lines 30-50*), and

an image displaying unit (68) that displays an image in response to the image data acquired as the result of control by said image data acquisition controlling unit, and each of said terminals includes

a storage medium to store said image data (14),

a communication unit (20a) at the terminal side (18a) that performs two-way communications with said image displaying device (12), and

an image data (application program 60a) output controlling unit (a computer 18a) that controls said communication unit at the terminal side in such a way that the terminal suspends output of image data when it is instructed to suspend transmission by said image data acquisition controlling unit and the terminal outputs image data when it is not instructed to suspend transmission, as discussed in col.22, lines 24-66.

6. As to **claims 2, figures 1-3 of Salesky** teaches an image displaying device (12) which is connected with a plurality of terminals (18a,b,c) to store image data through a network (16) that permits two-way communications ( $\leftrightarrow$ ) and which acquires image data from each terminal, thereby displaying an image, said image displaying device comprising:

a communication unit (20(0)) at the displaying device (12) side that performs two-way communications with each of said terminals (18a,b,c),

an image data ( $\leftrightarrow$ ) acquisition controlling unit (a computer 18a) that acquires image data from a relevant terminal (18a) in such a way that when it acquires image data from a relevant terminal by controlling said communication unit (20(0)) at the displaying device side (12), it instructs other terminals to suspend transmission, thereby suspending transmission of image data (*handles other streams and utility service traffic, fig.2, as summarized in col. 35, lines 30-50*), and

an image displaying unit (68) that displays an image in response to the image data acquired as the result of control by said image data acquisition controlling unit, as summarized in col. 35, lines 30-50, and discussed in col.22, lines 24-66.

7. As to claims 3-5, Salesky teaches a mode switching unit (22, fig. 1) that switches the split display mode to and from the sequential display mode, so that, in the split display mode (class 1, class2 and class 3), the image displaying unit displays images based on said individual image data on the divided sections of one screen and in the sequential display mode, the image displaying unit displays one image based on said individual image data on the full screen, as discussed in col. Col. 22, lines 15-66.

8. The limitation of **claim 6** is the same as those of claim 1 and therefore the claim will be rejected using the same rationale.

9. The limitation of **claim 7** is similar to those of claim 1, though in **method** form, therefore the rejection of claim 1, will be treated using the same rationale as claim 1.

10. The limitation of **claims 8 and 9** are similar to those of claim 1, though in **program** form, therefore the rejection of claim 1, will be treated using the same rationale as claim 1.

11. As to **claim 10**, **Figures 1-3** of Salesky teaches an image displaying system (10) having a plurality of computers and a projector (a plurality of electronic whiteboards 18a,b,c) which are connected with each other through a network (16), and causing each computer to output image data to the projector for display, in which said projector has a network interface at the projector side which sends and receives packet data (↔) through said network, the image displaying system (10) comprising:

an image data ( $\leftrightarrow$ ) receiving module to acquire image data which is output from said computer through said network interface at the projector side (18a),

a hard disk to record the thus acquired image data (col. 22, line 67 through col. 23, line 58),

a display unit (68) to display an image based on the recorded image data, and a control unit at the projector side which controls the network interface at the projector side, the image receiving module, the hard disk, and the display unit; the controller at the projector side performs control in such a way that when it acquires image data from a specific computer, it instructs other computers to suspend transmission, thereby causing them to suspend transmission of image data, and acquires image data from said specific computer; each of said computers has a network interface at the computer side which sends and receives packet data through the network to which it is connected, a hard disk as a storing medium capable of storing image data (col. 22, line 67 through col. 23, line 58),

an image transmitting module (a telephone network 24, fig. 1) which acquires image data from this hard disk and outputs them to the projector on the network (16) through the network interface at the computer side, and

a controller at the computer side which controls the network interface at the computer side, the image transmitting module, and the hard disk, and the image transmitting module is controlled such that the computer suspends the outputting of image data if it corresponds to the one which is instructed to suspend transmission by the controller at the projector side and the computer continues the outputting of image



data if it does not correspond to the one which is instructed to suspend transmission (a conference switch 22, fig. 1).

### ***Conclusion***

12. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to KEVIN M. NGUYEN whose telephone number is 571-272-7697. The examiner can normally be reached on MON-THU from 8:00-6:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, a supervisor RICHARD A. HJERPE can be reached on 571-272-7691. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8000.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the Patent Application Information Retrieval system, see <http://portal.uspto.gov/external/portal/pair>. Should you have questions on access to the

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Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Kevin M. Nguyen  
Patent Examiner  
Art Unit 2629

KMN  
October 15, 2007

A handwritten signature in black ink, appearing to read 'R. Hjerpe', is positioned above the printed name and title.

RICHARD HJERPE  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600